



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
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Commissioner

THE OFFICE OF APPEALS AND DISPUTE RESOLUTION

July 31, 2008

In the Matter of Massachusetts
Highway Department

Docket No. WET-2008-045
DEP File No. 254-0279
Otis

RECOMMENDED FINAL DECISION – WITHDRAWAL OF CLAIM

The Petitioner Town of Otis Conservation Commission (Otis) has sent in a letter to the Office of Appeals and Dispute Resolution (“OADR”) requesting that the notice of claim for an adjudicatory hearing be dismissed without prejudice. This notice of claim contained a request for hearing on an appeal of a Reviewable Decision in a Wetlands Permit case. A Petitioner for an adjudicatory hearing may request that his notice of claim be withdrawn at any time.

Petitioner’s request is granted, and this proceeding is at an end.

NOTICE- RECOMMENDED FINAL DECISION

This decision is a Recommended Final Decision of the Presiding Officer. It has been transmitted to the Commissioner for her Final Decision in this matter. This decision is therefore not a Final Decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be appealed to Superior Court pursuant to M.G.L. c. 30A. The Commissioner’s Final Decision is subject to rights of reconsideration and court appeal and will contain a notice to that effect.

This information is available in alternate format. Call Donald M. Gomes, ADA Coordinator at 617-556-1057. TDD Service - 1-800-298-2207.

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Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this Recommended Final Decision or any part of it, and no party shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in her sole discretion, directs otherwise.

This final document copy is being provided to you electronically by the Department of Environmental Protection. A signed copy of this document is on file at the DEP office listed on the letterhead.

Salvatore M. Giorlandino
Presiding Officer